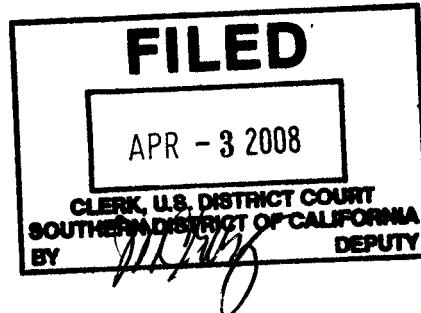


1 **Noreen Rucinski**
1 Dir. Strategic Business Development
2 Schneider Rucinski Enterprises
2 3344 N Mt. View Dr
3 San Diego CA 92116
3 619-282-7977
4 Plaintiff in Pro Per
4 Appearing *pro se*

NUNC PRO TUNC

MAR 28 2008



6 UNITED STATES DISTRICT COURT

7 IN AND FOR THE SOUTHERN DISTRICT OF CALIFORNIA

8 SCHNEIDER RUCINSKI ENTERPRISES, }
9 Plaintiff, }
10 vs. }
11 TOUCH ASIA OUTSOURCING }
12 SOLUTIONS, INC., dba TOUCH ASIA }
13 CALL CENTER, INC.; RUDY NGAW; }
14 STRATASOFT, INC. PACIFIC CALL }
15 CENTERES; LANE MCCARTY }
16 individually and as an employee and/or }
17 agent of STRATASOFT, INC.; JASON }
18 PACE individually and as an employee }
19 and/or agent of STRATASOFT, INC.; }
20 MIKE BRIDGES individually and as an }
21 employee and/or agent of STRATASOFT, }
22 INC.; MICHAEL BRIDGES, JR., }
23 individually and as an employee and/or }
24 agent of STRATASOFT, INC.; INX, INC., }
25 a Texas Corporation formerly known as I- }
26 SECTOR CORPORATION; COLO 6 LLC, }
27 a California Corporation, and NAVROZ }
28 HAJI, an individual, and DOES 1 through }
29 inclusive,

Defendants.

Case No.: 08 CV 0138 WQH POR

Date: April
Time: 11:00 a.m.

Judge: Hon. William Q Hayes

PLAINTIFF'S REQUEST FOR EX PARTE
APPLICATION FOR HEARING
MEMORANDUM IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS

PLAINTIFF'S REQUEST FOR EX PARTE
APPLICATION FOR HEARING
MEMORANDUM IN OPPOSITION TO DEFENDANT'S MOTION TO DISMISS

SCHNEIDER RUSINISKI ENTERPRISES ("SRE") respectfully submits this
Ex parte request to be heard for oral arguments to Memorandum in Opposition to
Defendant's Motion to Dismiss.

SRE made calls with the clerk's office and Judge Hays clerk Robert on

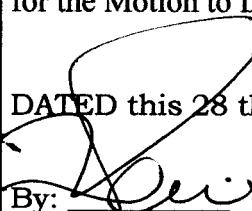
1 February 26 2008, upon receipt of the Motion to Dismiss from the defendants
 2 INX. This call was solely Regarding Verbiage on motions "NO ORAL ARUMENTS"
 3 the MOTION FOR DISMISSAL. I requested to be allowed and heard for the oral
 4 arguments as stated on my returned opposition. I informed both clerks the I was
 5 requesting oral arguments for the Calendared dated and time allocated : March
 6 24, 2008 at 11 am.

7 Where as these rules and procedures are new to me, I reviewed local procedures
 8 and did as it states.

9 Civil rule 7.1 (c. If either party indicates a willingness to submit a motion for decision without oral argument, the
 10 adverse party shall promptly, but in any case not later than four (4) calendar days before the hearing
 11 date, notify the law clerk of the assigned judge, by telephone, whether or not there is concurrence in
 12 having the motion decided without oral argument. If so, the matter may be removed from the motion
 13 hearing calendar, at the court's discretion, and the parties shall be so notified. If the adverse party
 14 does not concur in submission of the motion without oral argument, the matter may remain on the
 15 calendar, for such argument, if any, as the court may deem appropriate under the circumstances)

16 I have highlighted the applicable area, where it instructs me, "as the adverse party, if I don't
 17 concur (agree) in the submission of the motion without an oral argument, the matter may remain
 18 on the calendar". As pro se', I am reading the codes and think I have an understanding. I believe
 19 based on the discussions, that I was clear with all people I had contacted, using the only path
 20 available to me, the clerk's offices. ***I requested an oral argument*** "Unless the court requests it
 21 is" "without oral argument", setting with the chambers, clerk a time and date to hear, this Motion
 22 for Dismissal. I notified the courts, that my request, verbally, on Feb 26, again 10 days later for
 23 follow up, as allowed by this local Civil Rule 7.1 should be allowed, I am unsure, why it was
 24 taken off calendar, nor was I told my request was not going to happen. I was notified after I had
 25 left for the court time and while I was there. I respectfully request a redate set to hear Oppositions
 26 for the Motion to Dismiss.

27 DATED this 28 th day of March 2008 .
 28

29 By: 

30 Noreen Rucinski

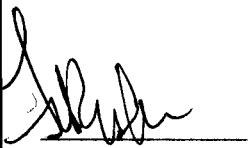
31 **CERTIFICATE OF SERVICE**

32 I HEREBY CERTIFY that on this 28th day of March 2008, I caused to be mailed a true
 33

1 and correct copy of the foregoing to the following by the method described below and am
2 over the age of 18.:

3 *By Mail Delivery:*
4

5
6 *BY U.S. Mail, postage prepaid:*
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14 Fred Rucinski
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